

**REMARKS**

The Applicant appreciates the Examiner's careful examination of this case. Reconsideration and re-examination are respectfully requested in view of the instant remarks.

In paragraph 1 of the Office Action, the Examiner has rejected claims 1, 3, 5 - 10 and 12 - 21. The Examiner says that the recitation in claim 1 that the entire surface of the activated carbon is available for contact with the oil does not appear to have basis in the specification as originally filed, and therefore appears to be new matter. The Applicant respectfully notes that ~~new~~ matter has not been added and the Applicant refers to the following parts of the specification as originally filed.

1. Page 3 lines 4 - 6 which reads as follows:

Preferably, the filter is one in which the activated carbon is fine particle activated carbon. Such fine particle activated carbon provides a large active surface area for filtering the mutagens.

If the activated carbon is fine particle activated carbon, and if the activated carbon is not embedded in anything, then the only alternative is that the entire surface of the activated carbon is available for contact with the oil.

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2. Figure 1 where the activated carbon 16 is clearly shown as being supported between the layers 18 of the retainer material. As shown in Figure 1, the activated carbon 16 is such that its entire surface is available for contact with the oil.

In paragraph 1 of the Office Action, the Examiner has also said that claims 7 - 9 appear to be incompatible with amended claim 1, as only the foam material is disclosed by the specification as originally filed as being water absorbent. The Applicant could not quite understand why claims 7 - 9 are incompatible with amended claim 1. In this connection and referring to the telephone call from the undersigned to the Examiner, it is understood that the problem may be that the Examiner could not find a basis for claims 7 - 9 in the specification as originally filed. Such basis is at page 3 lines 17 - 22 of the specification as originally filed. It is also noted that amended claim 1 says that the retainer material is a water-absorbent material. Claim 7 says that the retainer material, i.e. the water-absorbent material of claim 1, is an absorbent fiber material. Claim 7 is thus believed to be clear and correct. Claims 8 and 9, which refer to claim 7, are also believed to be clear and correct.

In paragraph 2 of the Office Action, the Examiner has kindly indicated that claims 1, 3, 5 - 10 and 12 - 21 would be allowable if rewritten or amended to overcome the objections mentioned above in paragraph 1 of the Office Action. The objection regarding the entire surface of the activated carbon is believed to

have been dealt with by showing that there is basis for this recitation in the specification as originally filed. The objection to claims 7 - 10 was not totally clear to the Applicant as mentioned above. However, it is believed that no amendment is required to claims 7 - 10 for the reasons stated above.

Accordingly, it is respectfully submitted that this application is in condition for allowance. Early and favorable action is respectfully requested.

If for any reason this **RESPONSE** is found to be **INCOMPLETE**, or if at any time it appears that a **TELEPHONE CONFERENCE** with Counsel would help advance prosecution, please telephone the undersigned or one of his associates, collect in Waltham, Massachusetts, at (781) 890-6678.

Respectfully submitted,



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Reg. No. 47,136